

ARKANSAS REGISTER

Proposed Rule Cover Sheet



Secretary of State
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Name of Department Department of Finance and Administration

Agency or Division Name Alcoholic Beverage Control Division

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

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Name of Rule Permits Not Issued Within Stated Distances Rule 1.33(6)

Newspaper Name Arkansas Democrat Gazette

Date of Publishing February 13, 2020 through February 15, 2020

Final Date for Public Comment March 18, 2020

Location and Time of Public Meeting 1515 West 7th Street, 5th Floor, 9:00 a.m.

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Section 1.33 (6) ***Permits Not To Be Issued To Premises Within The Following Stated Distances From Church Or School***

Building Schoolhouse. No permit for the sale or dispensing of alcoholic beverages shall be issued nor any existing permit transferred to any location within the following prohibited distances of any church or ~~school building~~schoolhouse, such distances to be calculated based upon the existence of the church or school building at the time the application is accepted by the agency for processing:

- A. ***Retail Liquor Permit.*** One thousand (1000) feet to be measured from the nearest property line point of the church or school building to the nearest property line point of the building sought to be permitted.
- B. ***Off Premises Retail Beer Permit to be Issued to Retail Liquor Store.*** One thousand (1000) feet to be measured from the nearest property line point of the church or school building to the nearest property line point of the building sought to be permitted.
- C. ***Exception for Retail Liquor Store Outlets Which are Within One Thousand Feet of a Church or School Building on the Date of August 13, 2001. Repealed 9-16-15***

For purposes of this ~~Regulation~~Rule “church” means a church and all immediately adjacent property owned or leased by the church that is used for church purposes.

For purposes of this Rule, “Schoolhouse” means a facility owned and operated by a public or private school or an open-enrollment charter school as well as a public or private daycare facility licensed by the State of Arkansas.

SUMMARY OF SUBSTANTIVE CHANGES

Act 983 of 2019 replaces the term School Building with and defines the term “schoolhouse.”

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